

UNITED STATES DISTRICT COURT

Southern

District of

New York

CASTRO CHEESE CO., INC.

**SUMMONS IN A CIVIL ACTION**

V.

LA VAQUITA INC.  
and VAQUITA CHEESE INC.

CASE NUMBER:

TO: (Name and address of Defendant)

Vaquita Cheese Inc., 1409 Foster Avenue, Brooklyn, New York 11230

**YOU ARE HEREBY SUMMONED** and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Jessica S. Parise, Fulbright & Jaworski LLP  
666 Fifth Avenue, New York, NY 10103

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

JUN 28 2007

CLERK

*Marcos Quintero*

DATE

(By) DEPUTY CLERK

AO 440 (Rev. 8/01) Summons in a Civil Action

<b>RETURN OF SERVICE</b>		
Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE	
NAME OF SERVER ( <i>PRINT</i> )	TITLE	
<i>Check one box below to indicate appropriate method of service</i>		
<input type="checkbox"/> Served personally upon the defendant. Place where served:		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:		
<input type="checkbox"/> Returned unexecuted:		
<input type="checkbox"/> Other (specify):		
<b>STATEMENT OF SERVICE FEES</b>		
TRAVEL	SERVICES	TOTAL \$0.00
<b>DECLARATION OF SERVER</b>		
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.		
Executed on _____	Date _____	<i>Signature of Server</i> _____
<i>Address of Server</i> _____		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

X

CASTRO CHEESE CO., INC.,  
Plaintiff(s),**JUDGE BATT**

Index No. 07 CV 6107

-against-  
LA VAQUITA INC., and VAQUITA  
CHEESE INC.,  
Defendant(s).**AFFIDAVIT OF SERVICE**STATE OF NEW YORK )  
S.S.:  
COUNTY OF NEW YORK)**DARRYL GREEN**, being duly sworn, deposes and says:

I certify that I have no interest in the above action, am of legal age and have proper authority in the jurisdiction in which this service was made, and is employed by the attorney service, DLS, INC.

That on the 3<sup>rd</sup> day of July 2007, at approximately 12:35 p.m., deponent served a true copy of the **SUMMONS IN A CIVIL ACTION, COMPLAINT (JURY TRIAL**

**DEMANDED), CIVIL COVER SHEET, RULE 7.1 STATEMENT AND JUDGES' RULES** upon Vaquita Cheese Inc. at 1307 Foster Avenue, Brooklyn, NY 11230, by personally delivering and leaving the same with Mr. Ramos, Manager, who informed deponent that he is an agent authorized by appointment to receive service at that address.

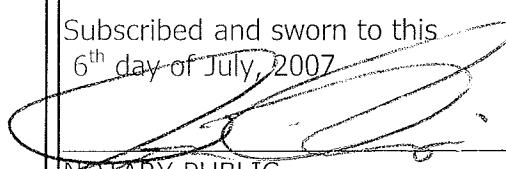
Mr. Ramos is a Hispanic male, approximately 45 years of age, stands approximately 5 feet 2 inches tall, and weighs approximately 160 pounds with black hair and brown eyes.




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**DARRYL GREEN #0866535**

Subscribed and sworn to this  
6<sup>th</sup> day of July, 2007


  
NOTARY PUBLIC

JONATHAN T. RIPPS  
Notary Public, State of New York  
NO. 01RI6109718  
Qualified in Rockland County  
Certificate Filed in New York County  
Commission Expires May 17, 20